

MINUTES of the **MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 15th day of January 2026.

PRESENT: Jerome D. Schad, Chair
 Peggy A. LaGree, Commissioner (via teleconference)
 Michele M. Iannello, Commissioner
 Jennifer L. Hibit, Secretary to the Authority
 Joyce A. Tomaka, Chief Financial Officer
 Mark S. Carney, General Counsel
 Charles E. Eaton, Chief Operating Officer
 Leonard F. Kowalski, Executive Engineer
 Sabrina A. Figler, Director of Water Quality
 Lavonya C. Lester, Director of Administration
 Katherine A. Gillette, Senior Associate Attorney
 David W. Aubertine, Director of Cybersecurity and Information Technology

ATTENDEES: Earl Wells III, e3 Communications (via teleconference)

PLEDGE TO THE FLAG

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:30 a.m. A quorum was present with three Commissioners.

II. READING OF MINUTES

Motion by Ms. LaGree seconded by Ms. Iannello and carried to waive the reading of the Minutes of the Meeting held on Thursday, December 18, 2025.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

III. APPROVAL OF MINUTES

Motion by Ms. LaGree seconded by Ms. Iannello and carried to approve the Minutes of the Meeting held on Thursday, December 18, 2025.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

IV. REPORTS

A. SECRETARY

B. LEGAL

1. Executive Session

Discussion relating to proposed, pending or current litigation pursuant to Public Officers Law § 105 (1)(d)

The above executive session has been deferred to end of the meeting.

C. FISCAL

1. November 2025 Investment Report

Ms. Tomaka distributed the November 2025 Investment Report along with a brief explanation of the report.

2. November 2025 Financial Report

Ms. Tomaka distributed the November 2025 Financial Report along with a brief explanation of the report. A brief discussion ensued.

D. OPERATIONS

1. Projects Advertised for Bidding – Formal Contracts

Mr. Kowalski reported to the Board on one Formal Contracts that has been advertised for bidding since the last Board Meeting:

- Water Service Investigations and Lead Service Replacements, Contract D, Village of Lancaster, PN 202500250

2. Final Payment Applications

Mr. Kowalski reported to the Board on twelve Final Payment Application ranging in dates from April 2024 through December 2025:

- Sturgeon Point WTP Sludge Removal, Disposal, and Relocation, PN 202300097
- Contract No. GP-010, Water System Improvements, City of Lackawanna, Towns of Hamburg and Orchard Park, PN 202100035
- On Call Repair Services, Watermains & Related Facilities, September 1, 2021 through August 31, 2023, PN 202100064

- Contract No. JMD-001, Water System Improvements, Towns of Hamburg, Cheektowaga, West Seneca, and Village of Depew, PN 202100200
- Area No. 1 Restoration, April 1, 2022 through March 31, 2024, PN 202200012
- Area No. 2 Restoration, April 1, 2022 through March 31, 2024, PN 202200012
- Excavated Material Removal and Disposal, April 1, 2022 through March 31, 2024, PN 202200013
- Contract No. GP-011, Water System Improvements, Towns of Cheektowaga and West Seneca, PN 202200057
- Sheridan Drive Water System Improvements, Town of Amherst, PN 202200206
- Large Services Contract, February 1, 2023 through January 31, 2025, PN 202300003
- ACP Removal and Disposal, June 1, 2023 through May 31, 2025, PN 202300008
- Contract No. W-035-B, Sandridge Water Tank, PN 202300060

3. Request for Proposals

Mr. Kowalski reported to the Board on one Request for Proposal that has been issued since the last Board Meeting:

- Pine Hill Storage Tank, Basis of Design and Drawings, PN 202500214

4. RFPs Published

Mr. Kowalski reported to the Board on two RFPs that have been published since the last Board Meeting:

- Water Storage Tank Rehabilitation, PN 202600009
- Distribution System Hydraulic Model Update, PN 202500225

E. HUMAN RESOURCES

F. AUDIT COMMITTEE

G. GOVERNANCE COMMITTEE

H. FINANCE COMMITTEE

I. ETHICS COMMITTEE

V. COMMUNICATIONS AND BILLS

(Communications may be limited to items that are provided electronically. Every effort will be made to provide all communications at future meetings.)

- C-1 NOTICE OF CLAIM – ROGERS AND MAJEWSKI V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-2 NOTICE OF CLAIM – PAGEN V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP**
- C-3 FOIL FROM WILLIAM STEPHAN - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-4 FOIL FROM BRENDA WERELY - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-5 FOIL FROM CITY OF LACKAWANNA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-6 FOIL FROM CANTOR, WOLFF, NICASTRO & HALL - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-7 FOIL FROM INTEGER - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-8 FOIL FROM ROBERT STEARNS - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-9 FOIL FROM LATESHA MCDONALD - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-10 FOIL FROM COFORGE - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-11 FOIL FROM MARK ZURADA- RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-12 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-13 FOIL FROM MARK ZURADA - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-14 LETTER FROM PATRICIA KENYON - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**
- C-15 LETTER FROM PETER GUGINO - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP**

C-16 LETTER FROM JARED HECHT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

C-17 LETTER FROM JESSICA KULPIT - RECEIVE AND FILE AND REFER TO SECRETARY FOR FOLLOW UP

The Commissioners thanked Ms. Kulpit and Mr. Gugino for their service to the Authority and wished them luck in their future endeavors.

C-18 NOTICE OF CLAIM – O’CONNELL ELECTRIC COMPANY INC V ECWA – RECEIVE AND FILE AND REFER TO LEGAL FOR FOLLOW UP

VI. PERSONS ADDRESSING THE AUTHORITY

Pursuant to the Erie County Water Authority’s Open Meetings Law Policy Section 10 Public Expression, as posted on its website, the Commissioners will hear the concerns of persons desiring to address the Commissioners on any Water Authority subject. No one appeared to speak.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

ITEM 1 - AWARD OF CONTRACTS FOR WATERMAIN MATERIALS PURCHASE CONTRACT, MARCH 1, 2026 THROUGH FEBRUARY 28, 2027, PROJECT NO. 202600002

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 2 - AWARD OF CONTRACT TO MALVESTUTO CONSTRUCTION, INC. FOR WATER SERVICE INVESTIGATIONS, CONTRACT 2, PROJECT NO. 202500101 - \$1,179,850.00

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

On the question, Chair Schad sought further information about the contractor and the bidding process. Mr. Kowalski indicated that this was a new contractor for the Authority, and the project garnered nine bids. Mr. Kowalski also noted that the bids submitted have been competitive.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 3 - APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT WITH FREDERICK MACHINE & MANUFACTURING, INC. FOR MACHINING AND FABRICATION SERVICES FOR THE REPAIR OF VARIOUS ERIE COUNTY WATER AUTHORITY EQUIPMENT, PROJECT NO. 202500007

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 4 - APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS & LANDSCAPE ARCHITECT, DPC TO PROVIDE CONSULTING ENGINEERING SERVICES FOR STURGEON POINT WATER TREATMENT PLANT LINE MAINTENANCE BUILDING AND WINDOM PUMP STATION STORAGE AND OPERATIONS FACILITY, IDENTIFIED AS CONTRACT NO. HE-001, PROJECT NO. 202100242 (CCII)

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 5 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 – STURGEON POINT WASHWATER TANK REPLACEMENT, CONTRACT NO. MP-088, PROJECT NO. 202100111 - \$175,000.00

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello
 Noes: None

ITEM 6 - AUTHORIZATION TO GRANT A COURTESY REVERSAL OF DELINQUENT CHARGES FOR THE TOWN OF AMHERST - \$1,455.02

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello
 Noes: None

ITEM 7 - AUTHORIZATION FOR THE PURCHASE OF HYDRANT WATER PRESSURE AND TEMPERATURE MONITORING EQUIPMENT FROM KENNEDY VALVE COMPANY AS A SOLE SOURCE PROVIDER - \$100,000.00

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

On the question, Chair Schad requested additional information concerning the product. Mr. Kowalski provided a concise summary of the product along with the Authority's strategy for its implementation.

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello
 Noes: None

ITEM 8 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND VALVES AND RETIREMENT OF EXISTING HYDRANTS AND VALVES - VARIOUS LOCATIONS

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello
 Noes: None

ITEM 9 - CREATION OF ONE POSITION OF SENIOR DIRECTOR OF OPERATIONS AND WATER INFRASTRUCTURE

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

ITEM 10 - DANIEL KILLELEA - APPOINTMENT AS ASSOCIATE ATTORNEY RPT

Motion by Ms. LaGree and seconded by Ms. Iannello and carried.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to go into Executive Session for the discussion relating to proposed, pending or current litigation pursuant to Public Officers Law § 105 (1)(d) at 9:50 a.m. Chair Schad invited Jennifer Hibit, Joyce Tomaka, Mark Carney, Charles Eaton, Leonard Kowalski, and Katherine Gillette.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

Motion made by Ms. LaGree, seconded by Ms. Iannello to exit Executive Session at 10:02 a.m.

DISCUSSION

Chair Schad reported that a productive discussion was held with Counsel regarding Contract No. MP-90 and MP-88.

VIII. ADJOURNMENT

Motion by Ms. LaGree seconded by Ms. Iannello carried that the meeting adjourned at 10:03 a.m.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, LaGree and Iannello

Noes: None

A handwritten signature in blue ink, appearing to read "JA Hibit". The signature is written in a cursive, flowing style.

Jennifer Hibit
Secretary to the Authority

ALH